

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

SALVATORE J. SOWELL,	:
	:
Plaintiff,	: Case No. 2:25-cv-297
	:
v.	: Judge Algenon L. Marbley
	: Magistrate Judge Stephanie K. Bowman
STATE OF OHIO, <i>et al.</i>,	:
	:
Defendants.	:

ORDER

This matter comes before this Court on Magistrate Judge Stephanie K. Bowman's Report and Recommendation ("R&R") that this Court dismiss this action for lack of prosecution. (ECF No. 5).

On March 24, 2025, plaintiff filed a complaint in this Court. (ECF No. 1). Plaintiff did not pay the filing fee or move for leave to proceed *in forma pauperis*. On April 2, 2025, this Court issued a Deficiency Order requiring plaintiff to pay the full filing fee or to submit an application and affidavit to proceed in forma pauperis within thirty (30) days. (ECF No. 4). Plaintiff was advised that "[i]f plaintiff fails to comply with this Order, the Court shall dismiss this case for want of prosecution." (*Id.* at 2). On May 8, 2025, after Plaintiff failed to respond to or otherwise comply with the Deficiency Order, Magistrate Judge Bowman issued the R&R, recommending that the action be dismissed for lack of prosecution under Fed. R. Civ. P. 41(b). (ECF No. 5). The R&R specifically advised Plaintiff of his right to object within fourteen (14) days and on the rights he would waive by failing to do so. (*Id.* at 2). No objection has been filed, and the time for doing so has passed.

District courts have the inherent power to *sua sponte* dismiss civil actions for want of prosecution to manage their own affairs so as to achieve the orderly and expeditious disposition of

cases.” *Link v. Wabash R.R.*, 370 U.S. 626, 630-631 (1962); *Jourdan v. Jabe*, 951 F.2d 108, 109 (6th Cir. 1991). As Magistrate Judge Bowman concluded, “[f]ailure of a party to respond to an order of the court warrants invocation of the Court’s inherent power.” (ECF No. 5 at 1 (citing Fed. R. Civ. P. 41(b))).

This Court therefore **ADOPTS** the R&R (ECF No. 5) based on its independent consideration of the analysis therein and **DISMISSES** this action for lack of prosecution. The Clerk of Court is directed to close the case.

IT IS SO ORDERED.



ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: July 21, 2025